

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

FINETTIE HAWKINS, Personal
Representative of the Estate of RICHARD
KOKENOS, deceased,

Plaintiff,

v.

CITY OF WARREN, a municipal
corporation, WILLIAM DWYER
OFFICER RANDALL RICHARDSON,
OFFICER KIMBERLY TEOLIS,
OFFICER PAUL KULISEK, OFFICER
ROBERT HORLOCKER, OFFICER
COLIN MCCABE, and OFFICER
WILLIAM MIERZWINSKI, Individually,
and in Their Official Capacity, Jointly and
Severally,

Defendants.

CASE NO: 2:12-cv-13810-PJD-LJM

HON. PATRICK J. DUGGAN

MAGISTRATE JUDGE LAURIE J. MICHELSON

GEOFFREY N. FIEGER (P30441)
E. JASON BLANKENSHIP (P63566)
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**MOTION TO APPROVE SETTLEMENT AND
DISBURSEMENT OF WRONGFUL DEATH PROCEEDS**

NOW COMES the Plaintiff, FINETTIE HAWKINS, as Personal Representative of the Estate of RICHARD KOKENOS, by and through her attorneys, FIEGER, FIEGER, KENNEY, GIROUX, DANZIG & HARRINGTON, P.C., and for her Motion to Approve Settlement and Disbursement of Wrongful Death Proceeds, states as follows:

1. This wrongful death lawsuit was resolved with the assistance of Magistrate Judge Michelson at a settlement conference.
2. The Personal Representative of the Estate requests that the court approve the settlement amount attached as Confidential Exhibit A.
3. There are no other outstanding funeral and medical expenses.
4. No money is being paid for conscious pain and suffering.

WHEREFORE, Plaintiff respectfully requests this Honorable court grant her Motion.

Respectfully submitted,

/s/ E. Jason Blankenship

Geoffrey N. Fieger (P30441)

E. Jason Blankenship (P63566)

FIEGER, FIEGER, KENNEY, GIROUX,

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Dated: February 28, 2013

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**BRIEF IN SUPPORT OF MOTION TO APPROVE SETTLEMENT AND
DISBURSEMENT OF WRONGFUL DEATH PROCEEDS**

The Plaintiff relies upon MCLA 600.2922(5) which reads:

“If, for the purpose of settling a claim for damages for wrongful death where an action for those damages is pending, a motion is filed with the Court where the action is pending by the personal representative asking leave of the Court to settle the claim, the court shall, with or without notice, conduct a hearing and approve or reject the proposed settlement.”

The parties have negotiated a settlement with the assistance of a facilitator.

Respectfully submitted,

/s/ E. Jason Blankenship

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Dated: February 28, 2013

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 28, 2013, he electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following individuals:

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Respectfully submitted,

/s/ E. Jason Blankenship

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